



- viii. Flows from fire fighting activities including the washing of fire fighting vehicles
- ix. Vehicle and equipment washwater from municipal operations pursuant to Part I, Section F.8.e of the permit
- x. Flows from rinsing of the following equipment with clean water:
  - Beach maintenance equipment immediately following their use for their intended purposes; and
  - Equipment used in the application of salt and de-icing materials immediately following salt and de-icing material applications. Prior to rinsing with clean water, all residual salt and de-icing materials must be removed from equipment and vehicles to the maximum extent practicable using dry cleaning methods (e.g., shoveling and sweeping). Recovered materials are to be returned to storage for reuse or properly discarded.

Rinsing of equipment in the above situations is limited to exterior, undercarriage, and exposed parts and does not apply to engines or other enclosed machinery.

d. If any of the discharges listed in 2.c above are identified by the municipality as a significant contributor of pollutants to or from the MS4, the Tier A Municipality must address the discharge as an illicit connection or as an improper disposal of waste as specified in Part I, Section F of this permit.

### 3. Authorization

a. In order to obtain authorization under this permit (except for automatic renewal of authorization under A.4 below) a complete Request for Authorization (RFA) shall be submitted in accordance with the requirements of this permit. Upon review of the RFA, the Department may, in accordance with N.J.A.C. 7:14A-6.13, either:

- i. Issue notification of authorization under this permit, in which case, authorization is deemed effective the first day of the following month of the date of the notification of authorization;
- ii. Deny authorization under this permit and require submittal of an application for an individual permit; or
- iii. Deny authorization under this permit and require submittal of an RFA for another general permit.

b. For discharges from a small MS4 authorized by this permit, the Tier A Municipality is exempt from N.J.A.C. 7:14A-6.2(a)2. This exemption means that the discharge of any pollutant not specifically regulated in the NJPDES permit or listed and quantified in the NJPDES application or RFA shall not constitute a violation of the permit.

c. Authorization under this permit shall cease to be effective under N.J.A.C. 7:14A-6.13(f), (h), (j) and (o), where applicable.

1  
2  
3 **4. Automatic Renewal of Authorization**  
4

5 a. Authorization under this permit will be automatically renewed when this general  
6 permit is reissued as provided by N.J.A.C. 7:14A-6.13(d)9 and 25.4(a)3 so long as the  
7 discharge authorized under the general permit continues to be eligible. The Department  
8 shall issue a notice of renewed authorization to the Tier A Municipality.  
9

10 b. If the Tier A Municipality is aware of any information in the most recently  
11 submitted RFA that is no longer true, accurate, and/or complete, the Tier A  
12 Municipality shall provide the correct information to the Department within 90 days of  
13 the effective renewal authorization notice.  
14

15 **5. Stormwater Discharges Not Authorized**  
16

17 a. This permit does not authorize “stormwater discharge associated with industrial  
18 activity” as defined in N.J.A.C. 7:14A-1.2. Types of facilities that a Tier A  
19 Municipality may operate and that are considered to be engaging in “industrial activity”  
20 include but are not limited to certain landfills and recycling facilities, certain  
21 transportation facilities (including certain local passenger transit and air transportation  
22 facilities), certain facilities handling domestic sewage or sewage sludge, steam electric  
23 power generating facilities, and construction activity that disturbs five acres or more  
24 (see N.J.A.C. 7:14A-1.2 for the full definition of “stormwater discharge associated with  
25 industrial activity”). Any municipality that operates an industrial facility with such a  
26 discharge must submit a separate request for authorization (RFA) or individual permit  
27 application for that discharge. An RFA submitted for the Tier A Municipal Stormwater  
28 General Permit does not qualify as an RFA for such a discharge.  
29

30 i. Deadlines to apply for a NJPDES permit for “stormwater discharge  
31 associated with industrial activity” are set forth in N.J.A.C. 7:14A-24.4(a)1. If  
32 such a discharge is from a facility (other than an airport, powerplant, or  
33 uncontrolled sanitary landfill) that is owned or operated by a municipality with a  
34 population of less than 100,000, the municipality shall submit the RFA or  
35 individual permit application by March 3, 2004. If such a discharge is from any  
36 other industrial facility, N.J.A.C. 7:14A-24.4(a)1 specifies earlier deadlines to  
37 apply.  
38

39 b. This permit does not authorize “stormwater discharge associated with small  
40 construction activity” as defined in N.J.A.C. 7:14A-1.2. In general, this is the discharge  
41 to surface water of stormwater from construction activity that disturbs at least one but  
42 less than five acres (see N.J.A.C. 7:14A-1.2 for the full definition). Any municipality  
43 that operates a construction site with such a discharge must submit a separate RFA or  
44 individual permit application for that discharge. An RFA submitted for the Tier A  
45 Municipal Stormwater General Permit does not qualify as an RFA for such a discharge.  
46

47 c. This permit does not authorize any stormwater discharge that is authorized under  
48 another NJPDES permit. A municipality does not have to implement measures

1 contained in this NJPDES permit for stormwater discharges at facilities owned or  
2 operated by that municipality that are regulated under a separate NJPDES stormwater  
3 permit authorizing those discharges.  
4

5 d. This permit does not authorize stormwater discharges from projects or activities that  
6 conflict with an adopted areawide or Statewide WQM plan.  
7

## 8 **B. Requests for Authorization Requirements**

### 9 **1. Deadline for Requesting Authorization for an Existing Discharge**

10 a. An RFA for the existing discharges from the small MS4 owned or operated by a  
11 Tier A Municipality must be submitted to the Department on or before March 3, 2004,  
12 except as provided below.  
13

14 i. If a municipality receives notice from the Department that it has been  
15 reassigned from Tier B to Tier A, or that a special designation is made under  
16 N.J.A.C. 7:14A-25.2(a)4, the deadline to submit an RFA is 180 days after the  
17 receipt of that notice, unless the Department approves a later date.  
18

19 ii. The Department may, in its discretion, accept an RFA submitted after the  
20 foregoing deadline; however, the municipality may still be held liable for  
21 violating the deadline to apply in accordance with N.J.A.C. 7:14A-25.4 and for  
22 discharging pollutants without a valid NJPDES permit in accordance with  
23 N.J.A.C. 7:14A-2.1(d).  
24

### 25 **2. Deadline for Requesting Authorization for a New Discharge**

26 a. An RFA for discharges from a new small MS4 owned or operated by a Tier A  
27 Municipality must be submitted to the Department at least ninety (90) days prior to the  
28 operation of the new MS4 system.  
29

30 i. A Tier A Municipality that already has authorization to discharge from a  
31 small MS4 under the Tier A Municipal Stormwater Permit does not need to  
32 submit an additional RFA for the expansion of an existing small MS4.  
33

34 ii. A new small MS4 is a small MS4 that did not exist on March 3, 2004  
35 and results in a new discharge to surface or ground waters of the State.  
36

### 37 **3. Requesting Authorization**

38 a. A separate RFA shall be submitted by each Tier A Municipality applying for  
39 authorization under this permit.  
40

41 b. A single RFA is required for the entire stormwater discharge from the small MS4  
42 owned or operated by and located within a single municipality. Multiple RFAs are not  
43 required for multiple municipal operations (e.g., municipally owned and operated  
44 maintenance facilities, garages, and/or offices).  
45  
46  
47  
48

1  
2  
3 **4. Contents of the Request for Authorization**  
4

5 a. A completed RFA shall include all of the following information regarding the  
6 Tier A Municipality and shall be completed using the Department's RFA form:  
7

8 i. The name of the municipality that operates the small MS4, county it is  
9 located in, and the address of the main municipal office (e.g., city hall,  
10 town hall, or municipal building).  
11

12 ii. The name and mailing address of the Municipal Stormwater Program  
13 Coordinator who will submit any reports or certifications required by the  
14 permit and to whom the Department shall send all correspondence  
15 concerning the permit.  
16

17 iii. A certification acknowledging the best management practices and  
18 measurable goals specified in the permit.  
19

20 iv. Additional information may be required by the Department to be  
21 included as part of the RFA if the Department determines that such  
22 additional information (including other data, reports, specifications, plans,  
23 permits, or other information) is reasonably necessary to determine  
24 whether to authorize the discharge under this permit.  
25

26 **5. Where to Submit**  
27

28 a. A completed and signed RFA shall be submitted to the Department at the  
29 address specified on the Department's RFA form.  
30

31 **C. Definitions**  
32

33 **1. The following definitions apply to this permit.**  
34

35 a. "Catch Basin" means a cistern, vault, chamber or well that is usually built along  
36 a street as part of the storm sewer system.  
37

38 b. "EDPA" means Effective Date of Permit Authorization.  
39

40 c. "Illicit connection" means any physical or non-physical connection that  
41 discharges the following to a municipal separate storm sewer system, unless that  
42 discharge is authorized under a NJPDES permit other than the NJPDES permit for  
43 discharges from that system (non-physical connections may include, but are not  
44 limited to, leaks, flows, or overflows into the municipal separate storm sewer  
45 system):  
46

47 i. Domestic sewage;  
48

- 1                   ii. Non-contact cooling water, process wastewater, or other industrial  
2                   waste (other than stormwater); or  
3                   iii. Any category of non-stormwater discharges that the Tier A  
4                   Municipality identifies as a source or significant contributor of pollutants  
5                   pursuant to 40 C.F.R. 122.34(b)(3)(iii).

6  
7                   d. “MS4” means a municipal separate storm sewer system.

8  
9                   e. “Municipality” means a “municipality” as defined in the Municipal Land Use  
10                  Law at N.J.S.A. 40:55D-5, that is, any city, borough, town, township, or village.

11  
12                  f. “Municipal separate storm sewer” means a conveyance or system of  
13                  conveyances (including roads with drainage systems, municipal streets, catch  
14                  basins, curbs, gutters, ditches, manmade channels, or storm drains):

15  
16                   iv. Owned or operated by the United States, an interstate agency, a State,  
17                   city, town, borough, county, parish, district, association, or other public  
18                   body (created by or pursuant to State law) having jurisdiction over  
19                   disposal of sewage, industrial wastes, stormwater, or other wastes,  
20                   including special districts under State law such as a sewer district, flood  
21                   control district or drainage district, or similar entity, or an Indian tribe  
22                   organization, or a designated and approved management agency under  
23                   section 208 of the CWA that discharges to surface water or groundwater;

24  
25                   v.        Designed and used for collecting or conveying stormwater;

26  
27                   vi.       Which is not a combined sewer;

28  
29                   vii.      Which is not part of a POTW; and

30  
31                   viii.     Which is not either of the following:

32  
33                   - A separate storm sewer(s) that is at an industrial facility, and that  
34                   collects or conveys stormwater discharges associated with  
35                   industrial activity that occurs at that facility; or

36  
37                   - A separate storm sewer(s) that is at a construction site, and that  
38                   collects or conveys stormwater discharges associated with small  
39                   construction activity that occurs at that site.

40  
41                  g. “Small municipal separate storm sewer system” or “small MS4” means all  
42                  municipal separate storm sewers (other than “large” or “medium” municipal  
43                  separate storm sewer systems as defined in N.J.A.C. 7:14A-1.2) that are:

44  
45                   i.        Owned or operated by municipalities described under N.J.A.C.  
46                   7:14A- 25.1(b);

- 1                   ii.       Owned or operated by county, State, interstate, or Federal
- 2                               agencies, and located at public complexes as described under
- 3                               N.J.A.C. 7:14A-25.2(a)2; or
- 4                   iii.       Owned or operated by county, State, interstate, or Federal
- 5                               agencies, and located at highways and other thoroughfares as
- 6                               described under N.J.A.C. 7:14A-25.2(a)3; or
- 7
- 8                   iv.       Owned or operated by county, State, interstate, Federal, or other
- 9                               agencies, and receive special designation under N.J.A.C. 7:14A-
- 10                              25.2(a)4.
- 11

12                   h. “Solid and floatable materials” means sediment, debris, trash, and other

13                   floating, suspended, or settleable solids.

14

15                   i. “Stormwater” means water resulting from precipitation (including rain and

16                               snow) that runs off the land’s surface, is transmitted to the subsurface, is captured

17                               by separate storm sewers or other sewerage or drainage facilities, or is conveyed

18                               by snow removal equipment.

19

## 20 **D. Special Conditions**

21

### 22 **1. Sharing of Responsibilities**

23

24                   a. A Tier A Municipality may rely on another governmental, private, or nonprofit

25                               entity (for example, a watershed association) to satisfy the municipality’s

26                               NJPDES permit obligations to implement one or more control measures (or

27                               components(s) thereof) pursuant to N.J.A.C. 7:14A-25.7(a) if:

28

29                   i. The other entity, in fact, implements the measure(s), or component(s)

30                               thereof;

31

32                   ii. The particular measure(s), or component(s) thereof, is at least as

33                               stringent as the corresponding NJPDES permit requirement;

34

35                   iii. The other entity agrees in writing (or is required by law) to implement

36                               the measure(s), or component(s) thereof, on the Tier A Municipality’s behalf.

37                               The municipality is responsible for compliance with this permit if the other

38                               entity fails to implement the measure(s), or component(s) thereof. In the annual

39                               reports the municipality must submit under Part I, Section H.3, the municipality

40                               shall specify that it is relying on another entity to satisfy some of the Tier A

41                               Municipality’s NJPDES permit obligations.

42

43                   iv. If the municipality is relying on another entity regulated under the

44                               NJPDES permit program to satisfy all of that Tier A Municipality’s NJPDES

45                               permit obligations, including that municipality’s obligation to file these annual

46                               reports, the municipality shall notify the Department of this reliance in writing,

47                               and shall also note this reliance in the municipality’s SPPP.

48

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2  
3  
4 **E. Stormwater Program and Stormwater Pollution Prevention Plan**  
5

6 **1. Stormwater Program**

7 a. Tier A Municipalities are required to develop, implement, and enforce a  
8 stormwater program. This program shall be designed to reduce the discharge of  
9 pollutants from the municipality’s small MS4 to the maximum extent practicable,  
10 to protect water quality, and to satisfy the appropriate water quality requirements  
11 of the Federal Act and the State Act by including the Statewide Basic  
12 Requirements (SBRs) set forth in Part I, Section F and any Additional Measures  
13 (AMs) required under Part I, Section G below. At the municipality’s discretion,  
14 the stormwater program may also include Optional Measures (OMs) also in  
15 accordance with Part I, Section G below.  
16

17 **2. Stormwater Pollution Prevention Plan (SPPP)**  
18

19 a. Tier A Municipalities shall prepare and implement a written Stormwater  
20 Pollution Prevention Plan (SPPP) that describes the Tier A Municipality’s  
21 stormwater program and serves as the mechanism for the implementation of the  
22 Statewide Basic Requirements. The SPPP must address stormwater quality issues  
23 related to new development, redevelopment and existing development. The SPPP  
24 shall be prepared and implemented in accordance with the deadlines specified in  
25 Part I, Section H. The SPPP shall include, at a minimum, all of the information  
26 and items identified in Attachment A.  
27

28 i. The SPPP shall be signed, dated and retained by the Municipal  
29 Stormwater Program Coordinator.  
30

31 b. For any projects or activities which the municipality contracts out to private  
32 contractors after the EDPA, the awarded contract must contain conditions that the  
33 contractor must conduct such projects or activities in such a manner that is in  
34 compliance with the municipality’s SPPP and this permit’s conditions. The  
35 municipality is responsible for any violations of this permit resulting from a  
36 noncompliance.  
37

38 c. SPPPs may be amended so long as they continue to meet the requirements of  
39 this permit. Any amended SPPPs shall be signed, dated, implemented, retained,  
40 and otherwise treated in the same manner as the original SPPP. The Tier A  
41 Municipality shall retain each previous SPPP for a period of at least five years  
42 from the date of that previous SPPP. This period may be extended by written  
43 request of the Department at any time.  
44

45 **F. Statewide Basic Requirements (SBRs)**  
46

47 **1. Stormwater quality issues related to new development, redevelopment and**  
48 **existing development are to be addressed through the implementation of the**

1 following Statewide Basic Requirements (SBRs). The permit specifies the BMPs that  
2 will be implemented for those SBRs. These SBRs and related BMPs are to be  
3 detailed in the municipality's SPPP.

4 a. Additional information is provided and each of the SBRs and related BMPs are  
5 described in more detail in the Department's Tier A Municipal Stormwater Permit  
6 Guidance Document.

7  
8 **2. Public Notice**

9  
10 a. Minimum Standard - Tier A Municipalities shall comply with applicable State  
11 and local public notice requirements when providing for public participation in  
12 the development and implementation of the Tier A Municipality's stormwater  
13 program.

14  
15 b. Measurable Goal - Tier A Municipalities shall certify annually that all  
16 applicable State and local public notice requirements were followed.

17  
18 c. Implementation – Upon the effective date of permit authorization (EDPA).

19  
20 **3. Post-Construction Stormwater Management in New Development and**  
21 **Redevelopment**

22  
23 a. Minimum Standard - To prevent or minimize water quality impacts, the Tier A  
24 Municipality shall develop, implement, and enforce a program to address  
25 stormwater runoff from new development and redevelopment projects (including  
26 projects operated by the municipality itself) that disturb one acre or more,  
27 including projects less than one acre that are part of a larger common plan of  
28 development or sale, that discharge into the municipality's small MS4. The  
29 municipality shall in its post-construction program:

30  
31 i. Adopt and reexamine a municipal stormwater management plan (or  
32 adopt amendments to an existing municipal stormwater management plan)  
33 in accordance with N.J.A.C. 7:8-4.

34  
35 ii. Adopt and implement a municipal stormwater control ordinance or  
36 ordinances in accordance with N.J.A.C. 7:8-4. The ordinance(s) will  
37 control stormwater from non-residential development and redevelopment  
38 projects.

39  
40 iii. Ensure that any residential development and redevelopment projects  
41 that are subject to the Residential Site Improvement Standards for  
42 stormwater management (N.J.A.C. 5:21-7) comply with those standards  
43 (including any exception, waiver, or special area standard that was  
44 approved under N.J.A.C. 5:21-3).

45  
46 iv. Where necessary to implement the municipal stormwater management  
47 plan, the municipal stormwater control ordinance(s) will also:  
48

- Control aspects of residential development and redevelopment projects that are not pre-empted by the Residential Site Improvement Standards; and
- Set forth special area standards approved by the Site Improvement Advisory Board for residential development or redevelopment projects under N.J.A.C. 5:21-3.5.

v. Ensure adequate long-term operation and maintenance of BMPs.

vi. Enforce, through the stormwater control ordinance(s) or a separate ordinance, compliance with standards set forth in Attachment C of the permit to control passage of solid and floatable materials through storm drain inlets.

vii. This post-construction program shall also require compliance with the applicable design and performance standards established under N.J.A.C. 7:8 for major development, unless:

- Those standards do not apply because of a variance or exemption granted under N.J.A.C. 7:8; or
- Alternative standards are applicable under an areawide or Statewide Water Quality Management Plan adopted in accordance with N.J.A.C. 7:15.

b. Measurable Goal – Tier A Municipalities shall certify annually that that they have developed, implemented, and are actively enforcing a program to address stormwater runoff from new development and redevelopment projects that discharge into the Tier A Municipality’s small MS4 in accordance with the minimum standard.

c. Implementation

i. Upon the effective date of permit authorization, Tier A Municipalities shall for new development and redevelopment projects:

- Ensure that any residential development and redevelopment projects that are subject to the Residential Site Improvement Standards for stormwater management (N.J.A.C. 5:21-7) comply with those standards (including any exception, waiver, or special area standard that was approved under N.J.A.C. 5:21-3).
- Ensure adequate long-term operation and maintenance of BMPs on property owned or operated by the municipality.

ii. Within 12 months from the effective date of permit authorization, Tier A Municipalities shall:

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- Adopt a municipal stormwater management plan (or adopt amendments to an existing municipal stormwater management plan) pursuant to the Stormwater Management Rules (N.J.A.C. 7:8-4) except as provided in iii below;
  
- Comply with the standards set forth in Attachment C of the permit to control passage of solid and floatable materials through storm drain inlets for storm drain inlets the municipality installs within the Tier A Municipality’s small MS4.

iii. Within 3 months from the date the Department provides a draft model “Pinelands” Municipal Stormwater Control Ordinance, Tier A Municipalities within the Pinelands Area as defined by N.J.S.A. 13:18A-11 shall adopt a municipal stormwater management plan (or adopt amendments to an existing municipal stormwater management plan) pursuant to the Stormwater Management Rules (N.J.A.C. 7:8-4) for those areas of the municipality within the Pinelands Area.

Tier A Municipalities partially within the Pinelands Area shall adopt a municipal stormwater management plan (or adopt amendments to an existing municipal stormwater management plan) pursuant to the Stormwater Management Rules (N.J.A.C. 7:8-4) within 12 months from the effective date of permit authorization for those areas of the municipality not within the Pinelands Area.

iv. Within 12 months from the adoption of the municipal stormwater management plan, Tier A Municipalities shall adopt a stormwater control ordinance(s) to implement that plan, and shall submit the adopted municipal stormwater management plan and ordinance(s) to the appropriate county review agency for approval pursuant to N.J.A.C. 7:8-4.4 (and, where N.J.A.C. 7:50-3 is applicable, to the Pinelands Commission for certification).

- If a county review agency conditionally approves the adopted municipal stormwater management plan and ordinance(s) the Tier A Municipality shall, within 180 days of the conditional approval, adopt the amendments to the municipal stormwater management plan and ordinance(s) specified by the county review agency and resubmit the amended municipal stormwater management plan and ordinance(s).
  
- If a county review agency disapproves the adopted municipal stormwater management plan and ordinance(s)

1 the Tier A Municipality shall, within 180 days of the  
2 disapproval, resubmit an amended municipal stormwater  
3 management plan and ordinance(s) to the county review  
4 agency.

- 5  
6 - If the Pinelands Commission disapproves or conditionally  
7 certifies the adopted municipal stormwater management  
8 plan and ordinance(s) the Tier A Municipality shall submit  
9 its modified plan and ordinance(s) to the Pinelands  
10 Commission in accordance with N.J.A.C. 7:50-3.

11  
12 v. Tier A Municipalities shall enforce stormwater control ordinance(s)  
13 when approved by the county review agency (and, where N.J.A.C. 7:50-3  
14 is applicable, certified by the Pinelands Commission) or shall enforce  
15 stormwater control ordinance(s) when conditionally approved by the  
16 county review agency upon adoption by the municipality of the  
17 amendments specified by the county review agency (and, where N.J.A.C.  
18 7:50-3 is applicable, certified by the Pinelands Commission) in accordance  
19 with N.J.A.C. 7:8-4.

20  
21 vi. Within 24 months from the effective date of permit authorization Tier  
22 A Municipalities shall:

- 23 - Ensure adequate long-term operation and maintenance of  
24 BMPs on property not owned or operated by the  
25 municipality;  
26  
27 - Enforce, through the stormwater control ordinance(s) or a  
28 separate ordinance compliance with the standards set forth  
29 in Attachment C of the permit to control passage of solid  
30 and floatable materials through storm drain inlets for storm  
31 drain inlets not installed by the Tier A Municipality.

#### 32 **4. Local Public Education**

##### 33 a. Local Public Education Program

34  
35 i. Minimum Standard – The Local Public Education Program shall  
36 describe how the Tier A Municipality will distribute educational  
37 information and specifics on how educational activities, including the  
38 educational event, will be conducted to satisfy this minimum standard.  
39 The following SBR and/or BMP topics shall be included in the Local  
40 Public Education Program:

- 41  
42 - Stormwater/Nonpoint Source Education – impact of stormwater  
43 discharges on surface and ground waters of the State and steps that  
44 the public can take to reduce pollutants in stormwater runoff.  
45  
46  
47

- Storm Drain Inlet Labeling – hazards of dumping materials into the storm drain, and fact that storm drains are usually connected to water bodies and do not receive treatment.
- Fertilizer/Pesticide Education –proper application, storage and disposal of pesticides and fertilizers, and the benefits of using native or well adapted vegetation that requires little or no fertilization.
- Waste Disposal Education – identification, proper handling and proper disposal of wastes (including the locations of hazardous waste collection facilities in the area) and the hazards associated with illicit connections and improper disposal of waste.
- Pet Waste Ordinance – information regarding the pet waste ordinance and the benefits of proper disposal of pet waste.
- Litter Ordinance - information regarding litter control and fines associated with littering
- Improper Disposal of Waste Ordinance - information regarding this ordinance.
- Wildlife Feeding Ordinance - information regarding the wildlife feeding prohibition.
- Yard Waste - information regarding home composting and yard waste recycling.

Tier A Municipalities shall provide for the duplication and annual mailing (or other means of delivery) to all residents and businesses within the municipality of the informational brochure provided by the Department. The informational brochure covers all the topics above. The Department may periodically provide the Tier A Municipality with an updated brochure for duplication and distribution.

As part of this program, Tier A Municipalities shall also conduct each year, at minimum, one education effort in the form of an “event.” An event may be an activity established primarily to satisfy this requirement or may be part of a bigger existing event such as municipal festivals, county fairs, or an Earth Day, Arbor Day or 4th of July celebration. During this event, the informational brochure shall also be made available to the public.

- ii. Measurable Goal - Tier A Municipalities shall certify annually that they have met the Local Public Education Program minimum standard and shall provide the date(s) of the annual mailing (or other means of delivery) and annual event (including a description of the event).
- iii. Implementation - Within 12 months from the effective date of permit

1 authorization, Tier A Municipalities shall have developed and begun  
2 implementing the Local Public Education Program minimum standard.

3  
4  
5 **b. Storm Drain Inlet Labeling**

6  
7 i. Minimum Standard - Tier A Municipalities shall establish a storm drain  
8 inlet labeling program and label all storm drain inlets that are along municipal  
9 streets with sidewalks, and all storm drain inlets within plazas, parking areas, or  
10 maintenance yards that are operated by the municipality. The program shall  
11 establish a schedule for labeling, develop a long term maintenance plan, and  
12 when possible, coordinate efforts with watershed groups and volunteer  
13 organizations.

14  
15 ii. Measurable Goal - Tier A Municipalities shall certify annually that a  
16 storm drain inlet labeling program has been developed or is being implemented,  
17 and shall identify the number of storm drain inlets labeled within each year.

18  
19 iii. Implementation - Within 12 months from the effective date of permit  
20 authorization, Tier A Municipalities shall develop an inlet labeling program for  
21 the storm drains identified in the minimum standard. Tier A Municipalities  
22 must either:

- 23  
24 - Label a minimum of 50% of the storm drain inlets within 36 months from  
25 the EDPA; and label all remaining storm drain inlets on or before 60  
26 months from EDPA; or
- 27  
28 - Divide the municipality into two sectors for the purposes of storm drain  
29 inlet labeling and include a map of the two sectors in the SPPP. Label the  
30 storm drain inlets in one sector within 36 months from the EDPA; and  
31 label all remaining storm drain inlets on or before 60 months from EDPA.

32  
33 **5. Improper Disposal of Waste**

34  
35 **a. Pet Waste Ordinance**

36  
37 i. Minimum Standard - Tier A Municipalities shall adopt and enforce  
38 an ordinance that requires pet owners or their keepers to immediately and  
39 properly dispose of their pet's solid waste deposited on any property,  
40 public or private, not owned or possessed by that person. Information on  
41 the Pet Waste Ordinance and the benefits of proper disposal of pet solid  
42 waste shall be distributed with pet licenses.

43  
44 ii. Measurable Goal - Tier A Municipalities shall certify annually that  
45 they have met the Pet Waste Ordinance minimum standard.  
46

1                   iii.       Implementation - Within 18 months from the effective date of  
2 permit authorization, Tier A Municipalities shall have fully implemented  
3 the Pet Waste Ordinance minimum standard.  
4

5  
6  
7                   b. Litter Ordinance

8  
9                   i.       Minimum Standard - Tier A Municipalities shall adopt and  
10 enforce a litter ordinance or enforce the existing State litter statute  
11 (N.J.S.A 13:1E-99.3).  
12

13                   ii.       Measurable Goal - Tier A Municipalities shall certify annually  
14 that they have met the Litter Ordinance minimum standard.  
15

16                   iii.       Implementation - Within 18 months from the effective date of  
17 permit authorization, Tier A Municipalities shall have fully implemented  
18 the Litter Ordinance minimum standard.  
19

20                   c. Improper Disposal of Waste Ordinance

21  
22                   i.       Minimum Standard - Tier A Municipalities shall adopt and  
23 enforce an ordinance prohibiting the improper spilling, dumping, or  
24 disposal of materials other than stormwater into the small MS4 (excluding  
25 those authorized in Part I, Section A.2.c).  
26

27                   ii.       Measurable Goal - Tier A Municipalities shall certify annually  
28 that they have met the Improper Waste Disposal Ordinance minimum  
29 standard.  
30

31                   iii.       Implementation - Within 18 months from the effective date of  
32 permit authorization, Tier A Municipalities shall have fully implemented  
33 the Improper Disposal of Waste Ordinance minimum standard.  
34

35                   d. Wildlife Feeding Ordinance

36  
37                   i.       Minimum Standard - Tier A Municipalities shall adopt and enforce  
38 an ordinance that prohibits the feeding in any public park or on any other  
39 property owned or operated by the Tier A Municipality of any wildlife  
40 (excluding confined animals, for example, wildlife confined in zoos,  
41 parks, or rehabilitation centers or unconfined wildlife at environmental  
42 education centers, or feral cats as part of an approved Trap-Neuter-Release  
43 (TNR) program).  
44

45                   ii.       Measurable Goal - Tier A Municipalities shall certify annually  
46 that they have met the Wildlife Feeding Ordinance minimum standard.  
47

1 iii. Implementation - Within 18 months from the effective date of  
2 permit authorization, Tier A Municipalities shall have fully implemented  
3 the Wildlife Feeding Ordinance minimum standard.  
4  
5  
6  
7

8 e. Yard Waste Ordinance / Collection Program  
9

10 i. Minimum Standard - Tier A Municipalities shall either adopt and  
11 enforce an ordinance that prohibits placing non-containerized yard wastes  
12 in the cartway of the street or shall develop a yard waste collection and  
13 disposal program. A yard waste collection program shall include the  
14 adoption and enforcement of an ordinance prohibiting all yard wastes from  
15 being placed within the cartway more than seven (7) days prior to  
16 scheduled collection or the placing of yard waste closer than 10 feet from  
17 any storm sewer inlet along the street, unless they are bagged or otherwise  
18 containerized. The frequency of pickups shall be determined at the  
19 discretion of the Tier A Municipality. Any area, which the municipality  
20 determines to have no yard waste, will be exempt from the collections.  
21

22 For the purposes of this minimum standard “yard waste” means loose  
23 leaves and grass clippings.  
24

25 ii. Measurable Goal - Tier A Municipalities shall certify annually that  
26 they have met the Yard Waste minimum standard.  
27

28 iii. Implementation – Within 18 months from the effective date of  
29 permit authorization, Tier A Municipalities shall have either developed  
30 and begun implementing a Yard Waste Collection Program or have fully  
31 implemented the Yard Waste Ordinance in accordance with the Yard  
32 Waste Ordinance /Collection Program minimum standard.  
33

34 **6. Illicit Connection Elimination and MS4 Outfall Pipe Mapping**  
35

36 a. Minimum Standard  
37

38 i. Storm Sewer Outfall Pipe Mapping – Tier A Municipalities must  
39 develop a map showing the location of the end of all MS4 outfall pipes  
40 that are operated by the Tier A Municipality, and that discharge within the  
41 Tier A Municipality’s jurisdiction to a surface water body (e.g., a lake,  
42 ocean, or stream including an intermittent stream). This map shall also  
43 show the location (and name, where known to the Tier A Municipality) of  
44 all surface water bodies receiving discharges from those outfall pipes.  
45 Each outfall pipe mapped shall be given an individual alphanumeric  
46 identifier, which shall be noted on the map. The outfall pipes shall be  
47 mapped on either a tax map prepared in accordance with Title 18, Chapter  
48 23A of the New Jersey Administrative Code or on another map drawn to

1 equal or larger (more detailed) scale. A municipality regulated under the  
2 Sewage Infrastructure Improvement Act (SIIA) regulations (N.J.A.C.  
3 7:22A) may use a preliminary or final map prepared pursuant to those  
4 regulations. The Tier A Municipality shall submit a copy of its outfall pipe  
5 map to the Department upon request.  
6

7 ii. Ordinance Prohibiting Illicit Connections - Each Tier A  
8 Municipality shall, to the extent allowable under State law, effectively  
9 prohibit through ordinance, illicit connections to the Tier A Municipality's  
10 small MS4, and implement appropriate enforcement procedures and  
11 actions.  
12

13 iii. Illicit Connection Elimination Program - Each Tier A  
14 Municipality must develop and implement a program to detect and  
15 eliminate illicit connections into the Tier A Municipality's small MS4.  
16 The program, at minimum, must include an initial physical inspection of  
17 all its outfall pipes. All outfall pipes that are found to have dry weather  
18 flow are to be further investigated. The inspections of outfall pipes and  
19 investigations of dry weather flows are to be conducted in accordance with  
20 the procedures for detecting, investigating, and eliminating illicit  
21 connections contained in Attachment B of the permit. Results of the  
22 inspections of outfall pipes and dry weather flows are to be recorded on  
23 the Department's Illicit Connection Inspection Report form. Inspection  
24 reports for dry weather flows discovered as a result of initial physical  
25 inspections or as part of the ongoing program must be submitted to the  
26 Department with the annual certification. If the dry weather flow is  
27 intermittent the Tier A Municipality must perform, at minimum, three (3)  
28 additional investigations in an attempt to locate the illicit connection. If an  
29 illicit connection cannot be located or is found to emanate from another  
30 public entity, Tier A Municipalities must submit to the Department a  
31 written explanation detailing the results of the investigation and notify that  
32 public entity. The Department will determine if such measures were  
33 adequate and will notify the Tier A Municipality of the determination. All  
34 illicit connections found and subject to the ordinance prohibiting illicit  
35 connections must be eliminated within six (6) months of the discovery.  
36

37 After the completion of the initial physical inspection of all outfall pipes,  
38 Tier A Municipalities must maintain an ongoing program to detect and  
39 eliminate illicit connections. The ongoing program will respond to  
40 complaints and reports of illicit connections, including those from  
41 operating entities of interconnected small MS4s, and continue to  
42 investigate dry weather flows discovered during routine inspections and  
43 maintenance of the small MS4.  
44

45 b. Measurable Goal

46  
47 i. Tier A Municipalities shall certify annually that an outfall pipe  
48 map has been completed or is being prepared in accordance with permit

1 conditions and shall report the number of outfall pipes mapped within the  
2 year being reported and the total number of outfall pipes mapped to date.

3  
4 ii. Tier A Municipalities shall submit an annual certification to the  
5 Department certifying that an ordinance prohibiting illicit connections is  
6 in place and is being actively enforced.

7  
8 iii. Tier A Municipalities shall certify annually that an illicit  
9 connection elimination program has been developed in accordance with  
10 permit conditions to detect and eliminate illicit connections into the Tier A  
11 Municipalities' small MS4. Annual certifications shall also include the  
12 number of outfalls physically inspected, the number of outfalls found to  
13 have dry weather flow, the number of illicit connections found and the  
14 number of illicit connections eliminated. Copies of inspection reports shall  
15 be submitted with the annual certification for those outfalls found to have  
16 dry weather flow.

17  
18 c. Implementation

19  
20 i. Storm Sewer Outfall Pipe Mapping – Tier A Municipalities shall  
21 divide the municipality into two (2) sectors for the purposes of outfall  
22 mapping. A diagram of the municipality showing the two (2) sectors shall  
23 be part of the Tier A Municipality's SPPP. Tier A Municipalities shall  
24 map the location of the end of small MS4 outfall pipes in one sector 36  
25 months from the EDPA; and map the location of the end of all small MS4  
26 outfall pipes on or before 60 months from the EDPA.

27  
28 ii. Ordinance Prohibiting Illicit Connections - Within 18 months  
29 from the EDPA, Tier A Municipalities shall effectively prohibit through  
30 ordinance, illicit connections to the Tier A Municipality's small MS4, and  
31 implement appropriate enforcement procedures and actions.

32  
33 iii. Illicit Connection Elimination Program - Within 18 months from  
34 the effective date of permit authorization, Tier A Municipalities shall have  
35 developed and begun implementing a program to detect and eliminate  
36 illicit connections into the Tier A Municipality's small MS4. Tier A  
37 Municipalities shall perform an initial physical inspection of all outfall  
38 pipes using the Department's Illicit Connection Inspection Report form  
39 within 60 months from the EDPA.

40  
41 **7. Solids and Floatable Controls**

42  
43 a. Monthly Sweeping of Certain Streets in Predominantly Commercial Areas

44  
45 i. Minimum Standard - Tier A Municipalities shall sweep, at a  
46 minimum of once per month (weather and street surface conditions  
47 permitting) all streets (including roads or highways) that meet all of the  
48 following criteria:

- the street is owned or operated by the municipality;
- the street is curbed and has storm drains;
- the street has a posted speed limit of 35 mph or less;
- the street is not an entrance or exit ramp; and
- the street is in a predominantly commercial area.

ii. Measurable Goal - Tier A Municipalities shall certify annually that they have met the Street Sweeping minimum standard. Tier A Municipalities must maintain records including the date and areas swept, number of miles of streets swept and the total amount of materials collected. Information shall be reported to the Department in the annual report and certification.

iii. Implementation - Beginning 12 months after the effective date of permit authorization Tier A Municipalities shall have developed and begun implementing a street sweeping program that meets the minimum standard above.

b. Storm Drain Inlets

i. Minimum Standard - Retrofitting of existing storm drain inlets to meet the standard contained in Attachment C of the permit is required where such inlets are in direct contact with repaving, repairing (excluding repair of individual potholes), reconstruction or alterations of facilities owned or operated by the Tier A Municipality. For exemptions to this standard, refer to “Exemptions” in Attachment C.

ii. Measurable Goal – Tier A Municipalities shall certify annually that such storm drain inlets have been retrofitted to meet the minimum standard contained in Attachment C, unless otherwise exempted.

iii. Implementation - Within 12 months of effective date of permit authorization and thereafter, Tier A Municipalities shall retrofit all such storm drain inlets in accordance with the Storm Drainage Inlets minimum standard.

c. Stormwater Facility Maintenance

i. Minimum Standard - Tier A Municipalities shall develop and implement a stormwater facility maintenance program for cleaning and maintenance of all stormwater facilities operated by the Tier A Municipality. Stormwater facilities include, but are not limited to: catch basins, detention basins, filter strips, riparian buffers, infiltration trenches, sand filters, constructed wetlands, wet basins, bioretention systems, low flow bypasses, and stormwater conveyances. The stormwater facility maintenance must be performed as required to ensure the proper function and operation of the stormwater facility. Tier A Municipalities shall also

1 clean all catch basins annually to remove accumulated sediment, trash and  
2 debris.

3  
4 ii. Measurable Goal - Tier A Municipalities shall certify annually  
5 that all stormwater facilities are properly functioning and that all catch  
6 basins have been cleaned in accordance with the minimum standard. If  
7 stormwater facilities were found not to be functioning properly and repairs  
8 were not made, a schedule for such repairs shall be included in the annual  
9 report and certification. Tier A Municipalities shall also maintain records  
10 of inspections, maintenance and repairs that were performed which shall  
11 be reported in the annual report and certification.

12  
13 iii. Implementation - Within 12 months from the effective date of  
14 permit authorization, Tier A Municipalities shall have developed and  
15 begun implementing a stormwater facility maintenance program in  
16 accordance with the minimum standard.

17  
18 d. Road Erosion Control Maintenance

19  
20 i. Minimum Standard - Tier A Municipalities shall develop a  
21 roadside erosion control maintenance program to identify and repair  
22 erosion along streets (including roads or highways) operated by the  
23 municipality. Tier A Municipalities are also required to regularly inspect  
24 and maintain the stability of shoulders, embankments, ditches and soils  
25 along these streets to ensure that they are not eroding and contributing to  
26 sedimentation of receiving waters. Repairs shall be made in accordance  
27 with the Standards for Soil Erosion and Sediment Control in New Jersey  
28 (N.J.A.C. 2:90-1).

29  
30 ii. Measurable Goal - Tier A Municipalities shall certify annually that  
31 they have developed and are implementing a Roadside Erosion Control  
32 Maintenance program. The certification shall also indicate the locations of  
33 all problem areas corrected and any maintenance done during that year.  
34 The dates of all inspections and employee training sessions shall also be  
35 reported in the annual report and certification.

36  
37 iii. Implementation - Within 18 months from the effective date of  
38 permit authorization, Tier A Municipalities shall have developed and  
39 implementing a roadside erosion control maintenance program in  
40 accordance with the minimum standard.

41  
42 e. Outfall Pipe Stream Scouring Remediation

43  
44 i. Minimum Standard - Tier A Municipalities shall develop and  
45 implement a stormwater outfall pipe scouring detection, remediation and  
46 maintenance program to detect and control localized stream and stream  
47 bank scouring in the vicinity of outfall pipes operated by the municipality.

1 This program shall identify all areas where localized stream and bank  
2 scouring occurs as a result of stormwater discharges from the Tier A  
3 Municipality’s MS4. These areas shall then be prioritized and repairs shall  
4 be scheduled and completed. Repairs shall be made in accordance with the  
5 Standards for Soil Erosion and Sediment Control in New Jersey at  
6 N.J.A.C. 2:90-1 (e.g., Conduit Outlet Protection 12-1).  
7

8 ii. Measurable Goal - Tier A Municipalities shall certify annually  
9 that they have met the Outfall Pipe Stream Scouring Remediation  
10 minimum standard. In addition, the Tier A Municipality shall list the  
11 location of outfall scouring identified, the dates control measures are to  
12 begin, and the dates any control measures were completed.  
13

14 iii. Implementation - Within 18 months of the effective date of permit  
15 authorization, Tier A Municipalities shall have developed and begun  
16 implementing an outfall pipe stream scouring detection, remediation and  
17 maintenance program. This program shall identify and prioritize all  
18 stormwater outfall pipes needing repairs, and then schedule and complete  
19 the repairs.  
20

21 **8. Maintenance Yard Operations (including maintenance activities at Ancillary**  
22 **Operations)**  
23

24 a. De-icing Material Storage  
25

26 i. Minimum Standard - Tier A Municipalities must construct a  
27 permanent structure (a permanent building or permanent structure that is  
28 anchored to a permanent foundation with an impermeable floor, and that is  
29 completely roofed and walled) for the storage of salt, and other de-icing  
30 materials. Once completed, Tier A Municipalities shall perform regular  
31 maintenance and inspections of the permanent structure. Seasonal tarping  
32 shall be used as an interim BMP until the permanent structure is  
33 completed. Sand may be stored outside and uncovered if a 50-foot setback  
34 is maintained from storm sewer inlets, ditches or other stormwater  
35 conveyance channels, and surface water bodies.  
36

37 ii. Measurable Goal - Tier A Municipalities shall certify annually that  
38 they have met the De-icing Material Storage minimum standard.  
39

40 iii. Implementation - Within 12 months from the effective date of  
41 permit authorization, Tier A Municipalities shall implement the interim  
42 seasonal tarping BMP. Within 12 months of the effective date of permit  
43 authorization, Tier A Municipalities will comply with the 50-foot buffer  
44 requirement for the outside storage of sand. Within 36 months from the  
45 effective date of permit authorization Tier A Municipalities shall store all  
46 salt and de-icing materials in a permanent structure.  
47

48 b. Fueling Operations

1  
2 i. Minimum Standard - Tier A Municipalities must develop and  
3 implement standard operating procedures for vehicle fueling, and  
4 receiving of bulk fuel deliveries at maintenance yard operations. The  
5 standard operating procedures shall incorporate the required practices  
6 listed in Attachment D.

7  
8 ii. Measurable Goal - Tier A Municipalities must certify annually  
9 that there is a vehicle fueling and bulk receiving standard operating  
10 procedures in place.

11  
12 iii. Implementation - Within 12 months of the effective date of permit  
13 authorization, Tier A Municipalities shall have developed and begun  
14 implementing the required standard operating procedures for fueling  
15 operations.

16  
17 c. Vehicle Maintenance

18  
19 i. Minimum Standard - Tier A Municipalities shall develop and  
20 implement a standard operating procedure (SOP) for vehicle maintenance  
21 and repair activities that occur at municipal maintenance yard operations.  
22 The SOP shall include the required practices listed in Attachment D. The  
23 SOP shall include regular inspections of all maintenance areas and  
24 activities.

25  
26 ii. Measurable Goal - Tier A Municipalities must certify annually  
27 that there is a vehicle maintenance standard operating procedure in place  
28 and that regular inspections and maintenance are being performed.

29  
30 iii. Implementation - Within 12 months of the effective date of permit  
31 authorization, Tier A Municipalities shall have developed and begun  
32 implementing the required standard operating procedures for Vehicle  
33 Maintenance.

34  
35 d. Good Housekeeping Practices

36  
37 i. Minimum Standard - Tier A Municipalities must implement good  
38 housekeeping procedures for all materials or machinery listed in the  
39 Inventory Requirements for Municipal Maintenance Yard Operations  
40 prepared in accordance with Attachment D. These good housekeeping  
41 procedures include, but not limited to, the required practices listed in  
42 Attachment D at all municipal maintenance yard operations (including  
43 maintenance operations at ancillary operations).

44  
45 ii. Measurable Goal - Tier A Municipalities must certify annually that  
46 they have met the Good Housekeeping Practices minimum standard.

47  
48 iii. Implementation - Within 12 months of the effective date of permit

1 authorization, Tier A Municipalities shall have developed and begun  
2 implementing the required standard operating procedures for Good  
3 Housekeeping.  
4

5 e. Equipment and Vehicle Washing  
6

7 i. Minimum Standard - Tier A Municipalities must eliminate the  
8 unpermitted discharge of equipment and vehicle wash wastewater to the  
9 waters of the State from municipal maintenance yard operations by either  
10 installing a vehicle wash reclaim system, capturing and hauling the  
11 wastewater for proper disposal, connecting to sanitary sewer (where  
12 applicable and approved by local authorities), ceasing the activity and/or  
13 applying for and obtaining a separate NJPDES permit.  
14

15 ii. Measurable Goal - After implementation, Tier A Municipalities  
16 must certify annually that there is no unpermitted discharge from vehicle  
17 and equipment washing activities at their municipal maintenance yard  
18 operations and describe the BMP option implemented at each of the  
19 locations where vehicle and equipment washing activities occur.  
20

21 iii. Implementation – This permit authorizes existing discharges of  
22 equipment and vehicle wash water from municipal maintenance yard  
23 operations until February 28, 2009. On or before February 28, 2009 Tier A  
24 Municipalities shall have a BMP option implemented and shall have no  
25 unpermitted discharge of equipment and vehicle wash wastewater to the  
26 waters of the State.  
27

28 **9. Employee Training**  
29

30 a. Minimum Standard - Tier A Municipalities shall develop and conduct an  
31 annual employee training program for appropriate employees on appropriate  
32 topics. At a minimum, annual employee training will include the following topics:  
33

34 i. Waste Disposal Education – Training shall include how to respond  
35 to inquires regarding proper waste disposal.  
36

37 ii. Municipal Ordinances – Training shall include an overview of the  
38 Pet Waste Ordinance, Litter Ordinance, Illicit Connection Ordinance and  
39 Improper Waste Disposal Ordinance, Wildlife Feeding Ordinance, and  
40 Yard Waste Ordinance (if applicable), their requirements, enforcement  
41 policy, and hazards associated with improper waste disposal.  
42

43 iii. Yard Waste Collection Program (if applicable) – Training shall  
44 include frequency of yard waste pickups and schedule, policy for when  
45 yard waste can be placed curbside, and alternatives such as composting  
46 and recycling.  
47

- 1 iv. Illicit Connection Elimination and Outfall Pipe Mapping –  
2 Training shall include information regarding the hazards associated with  
3 illicit connections and details of the program including investigation  
4 techniques, physical observations, field sampling, and mapping  
5 procedures.  
6  
7 v. Monthly Sweeping of Certain Streets in Predominantly  
8 Commercial Areas – Training shall include sweeping schedules and record  
9 keeping requirements.  
10  
11 vi. Stormwater Facility Maintenance - Training shall include catch  
12 basin cleaning schedules and record keeping requirements.  
13  
14 vii. Road Erosion Control and Outfall Pipe Stream Scouring  
15 Remediation – Training shall include identifying road erosion and outfall  
16 pipe scouring and repairs.  
17  
18 viii. Maintenance Yard Operations (including Ancillary Operations) –  
19 Training shall include de-icing material storage, fueling, vehicle  
20 maintenance, equipment/vehicle washing and good housekeeping SOPs.  
21  
22 ix. Construction Activity / Post-Construction Stormwater  
23 Management in New Development and Redevelopment – Training shall  
24 include information regarding the requirement to obtain a NJPDES  
25 construction activity stormwater permit (see Part I, Section A.5.a and  
26 A.5.b of this permit) and requirements for Post-Construction Stormwater  
27 Management in New Development and Redevelopment (See Part I,  
28 Section F.3 of this permit) for the permittee’s own construction activities  
29 and projects that disturb one acre or more.  
30

31 b. Measurable Goal - Tier A Municipalities must certify annually the date of the  
32 annual employee training.  
33

34 c. Implementation – Training shall begin 12 months from the effective date of  
35 permit authorization.  
36

## 37 **10. Construction Site Stormwater Runoff Control**

38

39 a. Pursuant to N.J.A.C. 7:14A-25.6(b)2 and 25.7(b), the Department is responsible  
40 for developing, implementing, and enforcing a NJPDES permit program to reduce  
41 pollutants in stormwater runoff to small MS4s from construction activities. The  
42 Tier A Municipality is not required to include this SBR in its stormwater program  
43 or discuss this SBR in its SPPP.  
44

## 45 **G. Additional Measures and Optional Measures**

46

### 47 **1. Additional Measures**

48

- 1 a. Additional Measures (AMs) are non-numeric or numeric effluent limitations  
2 that are expressly required to be included in the stormwater program by an  
3 adopted areawide or Statewide Water Quality Management Plan (WQM plan).  
4 AMs may modify or be in addition to SBRs. AMs may be required by a TMDL  
5 approved or established by USEPA, a regional stormwater management plan, or  
6 other elements of adopted areawide or Statewide WQM plans.  
7 b. The Department will provide written notice of the adoption of an AM to each  
8 Tier A Municipality whose stormwater program will be affected, and will list  
9 each adopted AM in the permit by making a minor modification to the permit.  
10 The AMs, other than numeric effluent limitations, will specify the BMPs that  
11 must be implemented and the measurable goals for each BMP. The AMs will also  
12 specify time periods for implementation.

13  
14 **2. Optional Measures**

- 15  
16 a. At the Tier A Municipality’s discretion, the stormwater program may also  
17 include Optional Measures (OMs), which are BMPs that are not implemented for  
18 SBRs or AMs but that prevent or reduce the pollution of the waters of the State.

19  
20 **H. Deadlines and Certifications**

21  
22 **1. Stormwater Pollution Prevention Plan**

- 23  
24 a. Within twelve (12) months from the effective date of permit authorization, the  
25 Tier A Municipality shall prepare an SPPP.  
26  
27 b. The SPPP shall include, at a minimum, all of the information and items  
28 identified in Attachment A. The SPPP shall be signed, dated and retained by the  
29 Tier A Municipality.

30  
31 **2. Statewide Basic Requirements**

- 32  
33 a. Each SBR contained in Part I, Section F of the permit has a specific  
34 implementation schedule based on the effective date of permit authorization.  
35 Each SBR shall be implemented in accordance with that schedule. Tier A  
36 Municipalities shall certify in the Annual Report and Certification the status of the  
37 implementation of each SBR and the date implementation was completed, as  
38 appropriate.  
39  
40 i. The Department may grant a six-month extension to the deadlines  
41 contained in an implementation schedule for any of the SBRs if the Tier A  
42 Municipality submits a written request for such extension, at least 30 days  
43 prior to the deadline, establishing to the Department's satisfaction that the  
44 Federal, State and local permits and approvals necessary for the  
45 construction of best management practices could not with due diligence be  
46 obtained within the time period set forth in Section F above. The written  
47 request shall be submitted to:  
48

1 NJDEP  
2 Division of Water Quality  
3 Bureau of Nonpoint Pollution Control  
4 Municipal Stormwater Regulation Program  
5 P.O. Box 029  
6 Trenton, NJ 08625-0029

7 **3. Annual Report and Certification**  
8

9 a. Tier A Municipalities shall complete an Annual Report (on a form provided by  
10 the Department) summarizing the status of compliance with this permit including  
11 measurable goals and the status of the implementation of each SBR contained in  
12 Part I, Section F of the permit. This report shall include a certification that the  
13 municipality is in compliance with its stormwater program, SPPP and this permit,  
14 except for any incidents of noncompliance. Any incidents of noncompliance with  
15 permit conditions shall be identified in the Annual Report and Certification. A  
16 copy of each Annual Report and Certification shall be kept at a central location  
17 and shall be made available to the Department for inspection.  
18

19 i. If there are incidents of noncompliance, the report shall identify  
20 the steps being taken to remedy the noncompliance and to prevent such  
21 incidents from recurring.  
22

23 ii. The Annual Report and Certification shall be signed and dated by  
24 the Tier A Municipality, and shall be maintained for a period of at least  
25 five years. This period may be extended by written request of the  
26 Department at any time.  
27

28 b. The Annual Report and Certification shall be submitted to the Department  
29 pursuant to the following submittal schedule:  
30

31 i. Submit an Annual Report and Certification: on or before May 2,  
32 2005 and every 12 months thereafter.  
33

34 **I. Standard Conditions**  
35

36 **1. The following general conditions are incorporated by reference. The Tier A**  
37 **Municipality is required to comply with the regulations, which were in effect as of**  
38 **March 2, 2004.**

- 39 a. General Permits N.J.A.C. 7:14A-6.13  
40 b. Penalties for Violations N.J.A.C. 7:14-8.1 et seq.  
41 c. Incorporation by Reference N.J.A.C. 7:14A-2.3  
42 d. Toxic Pollutants N.J.A.C. 7:14A-6.2(a)4i  
43 e. Duty to Comply N.J.A.C. 7:14A-6.2(a)1 & 4  
44 f. Duty to Mitigate N.J.A.C. 7:14A-6.2(a)5 & 11  
45 g. Inspection and Entry N.J.A.C. 7:14A-2.11(e)  
46 h. Enforcement Action N.J.A.C. 7:14A-2.9  
47 i. Duty to Reapply N.J.A.C. 7:14A-4.2(e)3  
48 j. Signatory Requirements for Applications and Reports N.J.A.C. 7:14A-4.9

- k. Effect of Permit/Other Laws N.J.A.C. 7:14A-6.2(a)6 & 7 & 2.9(c)
- l. Severability N.J.A.C. 7:14A-2.2
- m. Administrative Continuation of Permits N.J.A.C. 7:14A-2.8
- n. Permit Actions N.J.A.C. 7:14A-2.7(c)
- o. Reopener Clause N.J.A.C. 7:14A-6.2(a)10, 16.4(b) & 25.7(b)
- p. Permit Duration and Renewal N.J.A.C. 7:14A-2.7(a) & (b)
- q. Consolidation of Permit Process N.J.A.C. 7:14A-15.5
- r. Confidentiality N.J.A.C. 7:14A-18.2 & 2.11(g)
- s. Fee Schedule N.J.A.C. 7:14A-3.1
- t. UIC Corrective Action N.J.A.C. 7:14A-8.4
- u. Additional Conditions Applicable to UIC Permits N.J.A.C. 7:14A-8.9
- v. UIC Operating Criteria N.J.A.C. 7:14A-8.16

## **2. Operation And Maintenance**

- a. Need to Halt or Reduce not a Defense N.J.A.C. 7:14A-2.9(b)
- b. Proper Operation and Maintenance N.J.A.C. 7:14A-6.12

## **3. Monitoring And Records**

- a. Monitoring N.J.A.C. 7:14A-6.5
- b. Recordkeeping N.J.A.C. 7:14A-6.6
- c. Signatory Requirements for Monitoring Reports N.J.A.C. 7:14A-6.9

## **4. Reporting Requirements**

- a. Planned Changes N.J.A.C. 7:14A-6.7
- b. Reporting of Monitoring Results N.J.A.C. 7:14A-6.8
- c. Noncompliance Reporting N.J.A.C. 7:14A-6.10 & 6.8(h)
- d. Hotline/Two Hour & Twenty-four Hour Reporting N.J.A.C. 7:14A-6.10(c) & (d)
- e. Written Reporting N.J.A.C. 7:14A-6.10(e) & (f) & 6.8(h)
- f. Duty to Provide Information N.J.A.C. 7:14A-2.11, 6.2(a)14 & 18.1
- g. Compliance Schedules N.J.A.C. 7:14A-6.4
- h. Transfer N.J.A.C. 7:14A-6.2(a)8 & 16.2

**5. Copies of the NJPDES rules may be purchased by contacting West Group, St. Paul, Minnesota, 1-800-808-WEST.**

## **J. Additional Conditions**

### **1. Agency and Public Review**

- a. The Tier A Municipality shall make the SPPP available upon request to an authorized representative of the Department and to the owner of and operating entity for any municipal separate storm sewer system that receives discharges from the Tier A Municipality's small MS4.
- b. Upon review by an authorized representative, the Department may notify the Tier A Municipality at any time that the SPPP does not meet one or more of the minimum requirements. Within 30 days after receiving such notification (unless

1 otherwise specified by the Department), the SPPP shall be amended to adequately  
2 address all deficiencies, and written certification of such amendments shall be  
3 submitted to the Department.  
4

5 c. Tier A Municipalities shall make records required by this permit, including its  
6 SPPP, available to the public at reasonable times during regular business hours  
7 (see N.J.A.C. 7:14A-18 for confidentiality provisions).  
8

9 **2. Other Laws**

10  
11 a. In accordance with N.J.A.C. 7:14A-6.2(a)7, this permit does not authorize any  
12 infringement of State or local law or regulations, including, but not limited to the  
13 Pinelands rules (N.J.A.C. 7:50), N.J.A.C. 7:1E (Department rules entitled  
14 "Discharges of Petroleum and other Hazardous Substances"), the New Jersey  
15 Register of Historic Places Rules (N.J.A.C. 7:4), and all other Department rules.  
16 No discharge of hazardous substances (as defined in N.J.A.C. 7:1E-1.6) resulting  
17 from an onsite spill shall be deemed to be "pursuant to and in compliance with  
18 [this] permit" within the meaning of the Spill Compensation and Control Act at  
19 N.J.S.A. 58:10-23.11c.  
20

21 **3. Operations and Maintenance Manual**

22  
23 a. In accordance with N.J.A.C. 7:14A-6.12(c), for a discharge authorized by this  
24 permit, the Tier A Municipality is exempt from the requirement to prepare an  
25 operations and maintenance manual.  
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2 **Attachment A**

3 **CONTENTS OF THE STORMWATER POLLUTION PREVENTION PLAN**  
4

5 **A. SPPP Team**

6 1. The Stormwater Pollution Prevention Plan (SPPP) shall identify the person or persons  
7 responsible for implementing or coordinating the SPPP activities (including at the Tier A  
8 Municipality’s discretion, OMs).  
9

10 **B. Description of Required Best Management Practices**

11 1. The SPPP shall identify and discuss each Statewide Basic Requirement (SBR) and best  
12 management practice (BMP) required by the Tier A Municipal Stormwater General  
13 Permit.

14 2. The SPPP shall identify and discuss each Additional Measure (AM), if any, required  
15 by the Tier A Municipal Stormwater General Permit.

16 3. The SPPP shall identify and discuss any Optional Measures (OMs) the Tier A  
17 Municipality chooses to include in its stormwater program.

18 4. For each SBR, AM, or OM included in the Tier A Municipality’s stormwater program,  
19 the SPPP shall:

20 a. Describe the method of implementation;

21 b. Include detailed record keeping, as appropriate or as required;

22 c. Include an implementation schedule consistent with permit requirements,  
23 including interim milestones;

24 d. Include any special diagrams required by the permit (i.e., Storm Drain Inlet  
25 Labeling and Illicit Connection Elimination and MS4 Outfall Pipe Mapping);

26 e. Sharing responsibilities (If the Tier A Municipality wants to share  
27 responsibilities for implementing one or more control measures (other than OMs)  
28 with one or more other entities pursuant to N.J.A.C. 7:14A-25.7(a), the SPPP  
29 must describe which measure(s) the Tier A Municipality will implement, and  
30 identify the entity(ies) that will implement the other measure(s));

31 f. Include maintenance schedules, as appropriate; and

32 g. Include inspection schedules, as appropriate.  
33

34 **C. Identifying Areas Served by Combined Sewer**

35 1. Tier A Municipalities that want to exclude any “combined sewer area” from the  
36 stormwater program must include a map showing the boundaries of the combined sewer  
37 area. A “combined sewer area” is an area that is excluded because all stormwater from  
38 that area (and operated by the municipality) is discharged to combined (or sanitary) sewer  
39 systems.  
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2 **Attachment B**

3 **PROCEDURES FOR DETECTING, INVESTIGATING, AND ELIMINATING**  
4 **ILLCIT CONNECTIONS**

5  
6 Detection

7 An illicit connection for the purposes of this permit, is any physical or non-physical connection  
8 that discharges domestic sewage, non-contact cooling water, process wastewater, or other  
9 industrial waste (other than stormwater) to the Tier A Municipality’s small MS4, unless that  
10 discharge is authorized under a NJPDES permit other than this Tier A Municipal Stormwater  
11 General Permit (non-physical connections may include, but are not limited to, leaks, flows, or  
12 overflows into the municipal separate storm sewer system). An illicit connection is also any  
13 category of nonstormwater discharges that a Tier A Municipality identifies as a source or  
14 significant contributor of pollutants pursuant to 40 C.F.R. 122.34(b)(3)(iii). MS4 outfall pipes,  
15 for the most part, should not be discharging during substantial dry periods (72 hours after a rain  
16 event). Such flow is frequently referred to as “dry weather flow”, which may be the result of an  
17 illicit connection. All dry weather flows are generally non-stormwater discharges, however not  
18 all dry weather flows are illicit connections. Some non-stormwater flows result from the  
19 improper disposal of waste (e.g., radiator flushing, engine degreasing, improper disposal of oil)  
20 and some may be the result of allowable discharges such as residential car washing, irrigation  
21 runoff, permitted (NJPDES) discharges and natural waters (e.g., spring water and groundwater  
22 infiltration). By using the Department’s Illicit Connection Inspection Report form and making  
23 physical observations, a Tier A Municipality will compile information that will help determine if  
24 the dry weather flow is an illicit connection and the most likely source of the illicit connection.  
25 After making these physical observations, additional chemical field testing will enable a Tier A  
26 Municipality to further narrow the potential source(s) of the illicit connection.

27  
28 The first physical observation is to observe if there is a dry weather flow. Some dry weather  
29 discharges are continuously flowing and some are intermittent. Observations will allow the Tier  
30 A Municipality to establish with reasonable certainty if there is an intermittent flow. If there are  
31 indications of intermittent flows (staining, odors, deterioration of outfall structure) follow-up  
32 investigations are required (see Investigation section). An estimate of the flow rate of the  
33 discharge shall also be noted (flow rate can be estimated by various methods, including timing  
34 how long it takes to fill a container of a known size). Additional physical observations and  
35 measurements shall be made for odor, color, turbidity, floatable matter, temperature, deposits  
36 and stains, vegetation and algal growth and condition of outfall structure (see Illicit Connection  
37 Inspection Report form). Information compiled from physical observations and field monitoring  
38 should be used to help identify potential sources. These observations are very important since  
39 they are the simplest method of identifying grossly contaminated dry weather flows. If physical  
40 observations alone are sufficient to warrant further investigation, then field testing is not  
41 required.

42  
43 If a dry weather flow exists, and after making all physical observations (unless physical  
44 observations are enough to warrant further investigation), the Tier Municipality shall field test  
45 for surfactants (detergents). If these flows contain surfactants in excess of the detection limit,  
46 Tier A Municipalities shall field test for ammonia (as N) and potassium to help distinguish  
47 sanitary wastewater sources from other non-stormwater flows that contain detergents. Non-

1 stormwater discharges that are absent of surfactants shall be tested for fluoride to help  
2 distinguish potable from non-potable sources. Municipalities should refer to the Tier A  
3 Stormwater General Permit Guidance Manual for assistance and interpretation of field testing  
4 results.

5  
6 All of the tests for the tracing of illicit connections may be performed in the field by employees  
7 of the Tier A Municipality or may be contracted out. Lab certification for those parameters is **not**  
8 required, however all person(s) responsible for calibrating, maintaining, and taking field samples  
9 shall be trained in the use of the equipment and appropriate field testing protocol.

#### 10 11 Investigation

12  
13 Any storm sewer outfall pipe found during the initial inspection or on any subsequent inspection  
14 to have a non-stormwater discharge or indications of an intermittent non-stormwater discharge  
15 requires further investigation by the Tier A Municipality to identify and locate the specific  
16 source. Non-stormwater discharges suspected of being sanitary sewage and/or significantly  
17 contaminated shall be prioritized and investigated first. Investigations of non-stormwater  
18 discharges suspected of being cooling water, washwater, or natural flows may be delayed until  
19 after all suspected sanitary sewage and/or significantly contaminated discharges have been  
20 investigated, eliminated and/or resolved.

21  
22 Dry weather flows believed to be an immediate threat to human health or the environment shall  
23 be reported immediately to the Department's Action Hotline at 1-877-WARNDEP (1-877-927-  
24 6337).

25  
26 Physical observations and field testing can help narrow the identification of potential sources of a  
27 non-stormwater discharge. However it is unlikely that either will pinpoint the exact source.  
28 Therefore, Tier A Municipalities will need to perform investigations "upstream" to identify illicit  
29 connections to systems with identified problem outfalls.

30  
31 All non-stormwater discharges, whether continuous or intermittent must be investigated by the  
32 Tier A Municipality. All investigations must be resolved. If the source is found to be a non-  
33 stormwater discharge authorized under Part I, Section A.2.c of the permit, no further action is  
34 required. If a non-stormwater discharge is found but no source is able to be located within six (6)  
35 months of beginning the investigation, then the Tier A Municipality shall submit to the  
36 Department a Closeout Investigation form to close out the investigation. The Tier A Municipality  
37 must document that a good faith effort was made to find the source of the dry weather discharge  
38 and document each phase of the investigation. If the observed discharge is intermittent the Tier A  
39 Municipality must document, in the Illicit Connection Inspection Report form, that a minimum  
40 three (3) separate investigations were made to observe the discharge when it is flowing. If these  
41 attempts are unsuccessful, the Tier A Municipality shall submit to the Department the Closeout  
42 Investigation form noted above. However, since this is an ongoing program, the Tier A  
43 municipality should periodically recheck these suspected intermittent discharges.

#### 44 45 46 Elimination

1 Non-stormwater discharges traced to their source and found to be illicit connections subject to  
2 the ordinance prohibiting illicit connections shall be eliminated. At the time the illicit connection  
3 is detected the responsible party shall be cited for violation of the municipal ordinance  
4 prohibiting illicit connections and given thirty (30) days to cease the non-stormwater discharge.  
5 The responsible party may apply for a NJPDES permit for the discharge, but the discharge shall  
6 be ceased until a valid NJPDES permit has been issued by the Department. Tier A Municipalities  
7 are required to verify that the illicit discharge was eliminated by the responsible party within the  
8 specified timeframe and ensure that measures taken to eliminate the discharge are permanent and  
9 are not done in such a manner that would allow easy reconnection to the MS4.

10  
11 When a responsible party fails to eliminate the discharge, Tier A Municipalities shall take the  
12 necessary steps to enforce their ordinance, including court action. In such instances the  
13 Department shall be notified by written correspondence so it is aware of any pending action and  
14 is able to provide assistance if needed.

15  
16 If an illicit connection cannot be located or is found to emanate from another public entity, Tier  
17 A Municipalities must submit to the Department a written explanation detailing the results of the  
18 investigation and notify that public entity.

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3 **Attachment C**  
4 **DESIGN STANDARD - STORM DRAIN INLETS**  
5

6  
7 This standard applies to storm drain inlets installed as part of new development and  
8 redevelopment projects (public or private) that disturb one acre or more. In addition, retrofitting  
9 of existing storm drain inlets to this standard is required where such inlets are in direct contact  
10 with repaving, repairing (excluding repair of individual potholes), reconstruction or alterations of  
11 facilities owned or operated by the Tier A Municipality. For exemptions to this standard see  
12 “Exemptions” below.  
13

14 Grates in Pavement or Other Ground Surfaces  
15

16 Design engineers shall use either of the following grates whenever they use a grate in pavement  
17 or another ground surface to collect stormwater from that surface into a storm drain or surface  
18 water body under that grate:  
19

- 20 1. The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is  
21 described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways  
22 Planning and Design Guidelines (April 1996).  
23  
24 2. A different grate, if each individual clear space in that grate has an area of no more than  
25 seven (7.0) square inches, or is no greater than 0.5 inches across the smallest dimension.  
26  
27 (In regard to whether the different grate must also be bicycle safe, the Residential Site  
28 Improvement Standards include requirements for bicycle-safe grates.)  
29

30 Examples of grates subject to this standard include grates in grate inlets, the grate portion (non-  
31 curb-opening portion) of combination inlets, grates on storm sewer manholes, ditch grates,  
32 trench grates, and grates of spacer bars in slotted drains. Examples of ground surfaces include  
33 surfaces of roads (including bridges), driveways, parking areas, bikeways, plazas, sidewalks,  
34 lawns, fields, open channels, and stormwater basin floors.  
35

36 Curb-Opening Inlets (Including Curb-Opening Inlets in Combination Inlets)  
37

38 Whenever design engineers use a curb-opening inlet, the clear space in that curb opening (or  
39 each individual clear space, if the curb opening has two or more clear spaces) shall have an area  
40 of no more than seven (7.0) square inches, or be no greater than two (2.0) inches across the  
41 smallest dimension.  
42

43 **Exemptions**  
44

45 *Retrofitting Exemptions*  
46

- 1 1. Repaving, repairing, reconstruction or alterations projects that began construction prior to  
2 March 3, 2004, and projects that were awarded bid prior to March 3, 2004, are exempted  
3 from the storm drain inlet design standard.
- 4 2. Existing curb-opening inlets do not need to be retrofitted to meet the design standard if  
5 each individual clear space in the curb opening has an area of no more than nine (9.0)  
6 square inches.

7  
8 *Hydraulic Performance Exemptions*  
9

- 10 1. New Development and Redevelopment Projects - Where the review agency determines  
11 that this standard would cause inadequate hydraulic performance that could not  
12 practicably be overcome by using additional or larger storm drain inlets that meet these  
13 standards.
- 14  
15 2. Retrofitting of existing storm drain inlets - Where the review agency determines that this  
16 standard would cause inadequate hydraulic performance.

17  
18 *Alternative Device Exemptions*  
19

- 20 1. Where flows from the water quality design storm as specified in N.J.A.C. 7:8 are  
21 conveyed through any device (e.g., end of pipe netting facility, manufactured treatment  
22 device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all  
23 solid and floatable materials that could not pass through one of the following:  
24
  - 25 a. A rectangular space four and five-eighths inches long and one and one-  
26 half inches wide (this option does not apply for outfall netting facilities); or
  - 27  
28 b. A bar screen having a bar spacing of 0.5 inches.
- 29  
30 2. Where flows are conveyed through a trash rack that has parallel bars with one-inch (1")  
31 spacing between the bars, to the elevation of the water quality design storm as specified  
32 in N.J.A.C. 7:8.

33  
34 Note - The preceding exemptions do not authorize any infringement of requirements in the  
35 Residential Site Improvement Standards for bicycle-safe grates in new residential development  
36 (N.J.A.C. 5:21-4.18(b)2 and 7.4(a)).  
37

38 *Historic Places Exemption*  
39

40 Where the Department determines, pursuant to the New Jersey Register of Historic Places Rules  
41 at N.J.A.C. 7:4-7.2(c), that action to meet this standard is an undertaking that constitutes an  
42 encroachment or will damage or destroy the New Jersey Register listed historic property.  
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3 **Attachment D**  
4 **REQUIRED PRACTICES FOR FUELING OPERATIONS, VEHICLE**  
5 **MAINTENANCE, AND GOOD HOUSEKEEPING SBRs**  
6  
7

8 A. The following BMPs must be implemented at maintenance yards including maintenance  
9 activities at ancillary operations (for example, impound yards, solid waste transfer stations,  
10 mobile fueling), where applicable, operated by Tier A Municipalities:  
11

12 **1. Inventory Requirements for Municipal Maintenance Yard Operations (including**  
13 **Ancillary Operations)**  
14

15 a. Tier A Municipalities shall include for municipal maintenance yard  
16 operations an inventory that includes the following:  
17

18 i. A list to be made part of the SPPP of general categories of all  
19 materials or machinery located at the municipal maintenance yard, which  
20 could be a source of pollutants in a stormwater discharge. The materials in  
21 question include, but are not limited to: raw materials; intermediate  
22 products; final products; waste materials; by-products; machinery and  
23 fuels; and lubricants, solvents, and detergents that are related to the  
24 municipal maintenance yard operations or ancillary operations. Materials  
25 or machinery that are not exposed to stormwater or that are not located at  
26 the municipal maintenance yard or related to its operations do not need to  
27 be included.  
28

29 **2. Fueling**  
30

31 a. No topping off vehicles, mobile fuel tanks, and storage tanks. Drip pans  
32 must be used under all hose and pipe connections and other leak-prone areas  
33 during bulk transfer of fuels.  
34

35 b. Block storm sewer inlets, or contain tank trucks used for bulk transfer,  
36 with temporary berms or temporary absorbent booms during the transfer process.  
37 If temporary berms are being used instead of blocking the storm sewer inlets, all  
38 hose connection points associated with the transfer of fuel must be within the  
39 temporary berms during the loading/unloading of bulk fuels. A trained employee  
40 must always be present to supervise during bulk fuel transfer.  
41

42 c. Clearly post, in a prominent area of the facility, instructions for safe  
43 operation of fueling equipment, and appropriate contact information for the  
44 person(s) responsible for spill response.  
45

1 d. Any equipment, tanks, pumps, piping and fuel dispensing equipment  
2 found to be leaking or in disrepair must immediately be repaired or replaced.  
3  
4

### 5 **3. Vehicle Maintenance**

6

7 a. Perform all vehicle and equipment maintenance at an indoor location with  
8 a paved floor whenever possible. For projects that must be performed outdoors  
9 that last more than one day, portable tents or covers must be placed over the  
10 equipment being serviced when not being worked on, and drip pans must be used.  
11  
12

### 13 **4. General Good Housekeeping**

14

15 a. Properly mark or label all containers. Labels must be kept clean and  
16 visible. All containers must be kept in good condition and tightly closed when not  
17 in use. When practical, containers must be stored indoors. If indoor storage is not  
18 practical, containers may be stored outside as long as they are covered and placed  
19 on spill platforms. An area that is graded and/or bermed that prevents run-through  
20 of stormwater may be used in place of spill platforms. Outdoor storage locations  
21 must be regularly maintained.  
22

23 b. Conduct cleanups of any spills or liquids or dry materials immediately  
24 after discovery. Clean all maintenance areas with dry cleaning methods only.  
25 Spills shall be cleaned up with a dry, absorbent material (i.e., kitty litter, sawdust,  
26 etc.) and the rest of the area is to be swept. Collected waste is to be disposed of  
27 properly. Clean-up materials, spill kits and drip pans must be kept near any liquid  
28 transfer areas, protected from rainfall.  
29  
30

### 31 **5. Good Housekeeping Practices for Salt and De-icing Material Handling**

32

33 a. The SPPP for De-icing Material Storage shall include the following  
34 required practices to ensure that Municipal Maintenance Yard Operations prevent  
35 or minimize the exposure of salt and de-icing materials to stormwater runoff from  
36 storage, loading and unloading areas and activities:  
37

38 i. Prevent and/or minimize the spillage of salt and de-icing materials  
39 during loading and unloading activities.  
40

41 ii. At the completion of loading and unloading activities, spilled salt  
42 and deicing materials shall be removed using dry cleaning methods and  
43 either reused or properly discarded.  
44

45 iii. Sweeping by hand or mechanical means of storage and  
46 loading/unloading areas shall be done on a regular basis. More frequent  
47 sweeping is required following loading/unloading activities. Sweeping

1 shall also be conducted immediately following, as practicable,  
2 loading/unloading activities.

3  
4 iv. Tracking of materials from storage and loading/unloading areas  
5 shall be minimized.

6  
7 v. Minimize the distance salt and de-icing materials are transported  
8 during loading/unloading activities.  
9

10 b. Interim Seasonal Tarping - All Tier A Municipalities must tarp all de-icing  
11 materials until a permanent structure is built. Interim storage measures must  
12 include, but are not limited to the following:

13  
14 i. Tarping materials that are not actively being used.

15  
16 ii. The storage of de-icing materials (salt and de-icing products)  
17 outside is limited to October 15<sup>th</sup> through April 30<sup>th</sup>. All salt and de-icing  
18 materials must be removed from the site prior to May 1<sup>st</sup> and may not be  
19 stored outside again until October 15<sup>th</sup>.

20  
21 iii. The implementing of a regular inspection, sweeping and  
22 housekeeping program to ensure that the material is maintained and stored  
23 in a proper manner.  
24

## 25 **6. Inspections**

26  
27 a. Inspections of all Municipal Maintenance Yard Operations shall be conducted  
28 regularly.  
29

30 b. Discharge of Stormwater from Secondary Containment

31  
32 i. The discharge pipe/outfall from a secondary containment area must have  
33 a valve and the valve must remain closed at all times except as described  
34 below. A municipality may discharge stormwater that accumulated in the  
35 secondary containment area if a visual inspection is performed to ensure  
36 that the contents of aboveground storage tank have not come in contact  
37 with the stormwater to be discharged. Visual inspections are only effective  
38 when dealing with materials that can be observed, like petroleum. If the  
39 contents of the tank are not visible in stormwater, the municipality must  
40 rely on previous tank inspections to determine with some degree of  
41 certainty that the tank has not leaked. If the municipality cannot make a  
42 determination with reasonable certainty that the stormwater in the  
43 secondary containment area is uncontaminated by the contents of the tank,  
44 then the stormwater shall be hauled for proper disposal.  
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